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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,309	09/12/2005	Joon-Hoo Choi	PANK91700 US	1450
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Innovation Counsel LLP 21771 Stevens Creek Blvd Ste. 200A Cupertino, CA 95014			EXAMINER SALERNO, SARAH KATE	
			ART UNIT 2814	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/521,309

Applicant(s)

CHOI ET AL.

Examiner

SARAH K. SALERNO

Art Unit

2814

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2009.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 10-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-6 and 10-13 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SI.08)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Interval Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

DETAILED ACTION

1. Applicant's arguments see "Applicant Arguments/Remarks Made in an amendment" filed 04/02/10, with respect to the Final Office Action mailed 02/03/10 have been fully considered and are persuasive. The Final Office Action mailed 02/03/10 has been withdrawn and is replaced herewith.
2. Applicant's amendment/arguments filed on 06/15/09 as being acknowledged and entered. By this amendment claims 7-9 and 14 are canceled, no claims have been added, claims 1-6 and 10-13 are pending and no claims are withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6, 10, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin (KR 10-2002-0078535), in view of Yamazaki et al. (US PGPub 2001/0026125 of record) and Kimura (US PGPub 2003/0170944).

Claim1: Shin teaches an organic EL display panel comprising (FIG. 6): an substrate (110); a polysilicon layer disposed on the substrate (130); a gate insulating layer (140) disposed on the polysilicon layer; a gate wire (150) disposed on the gate insulating layer; an interlayer insulating film (160) disposed on the gate wire; a data wire (170) disposed on the interlayer insulating film; a pixel electrode (200) disposed on the

same layer (140) as the data wire; an organic EL layer (220) disposed on the pixel electrode and defining a predetermined area; a partition (210) disposed on the data wire and directly disposed on the pixel electrode and defining the predetermined area; and a common electrode (230) disposed on the organic EL layer and the partition (Fig. 7).

Shin does not specify that the substrate is insulating. Yamazaki teaches an insulating substrate (11) as is known in the art to use for organic EL display devices [0079]. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device taught by Shin to specify the substrate being insulating as it is known in the art to use insulating substrates for organic EL display devices as taught by Yamazaki [0079].

Shin and Yamazaki do not teach the partition formed directly on both the data wire and the pixel electrode. Kimura teaches the partition (4516) formed directly on both the data (source electrode) and the pixel electrode (4517) to flatten and pattern to enable EL layer formation (FIG. 13; [0198, 0199 & 0256]). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device taught by Shin and Yamazaki to have the partition formed directly on both the data wire and the pixel electrode to flatten and pattern to enable EL layer formation as taught by Kimura (FIG. 13; [0198, 0199 & 0256]).

It is noted that the claim language "a pixel electrode disposed on the same layer as the data wire" does not require the pixel and data wires to be formed directly on the same layer or being made of the same layer of material, therefore the layer that the

pixel electrode and data wired are both disposed on is any layer that they are both on top of or below such as (140), as mentioned above, or (120), (110), etc.

Claim 2: Shin teaches the pixel electrode includes the same material as the data wire (Page 3).

Claims 3 and 10: As described above, Shin substantially reads on the invention as claimed, except Shin does not teach the polysilicon layer comprises first and second transistor portions including source regions and drain regions and a storage electrode portion connected to the second transistor portion, the gate wire comprises first and second gate electrodes and a storage electrode overlapping the first and the second transistor portions and the storage electrode portion, respectively, the data wire comprises first and second data lines, a first source electrode connected to the first data line and the source region of the first transistor portion, a first drain electrode connected to the drain region the first transistor portion and the second gate electrode, and a second source electrode connected to the second data line and the source region of the second transistor portion, and the pixel electrode is connected to the drain region of the second transistor. Yamazaki teaches the polysilicon layer (13-17, 31-32 & 34) comprises first (601) and second transistor portions (602) including source regions (13, 36) and drain regions (14 & 32) and a storage electrode portion (51) connected to the second transistor portion (602), the gate wire comprises first (19a) and second (35) gate electrodes and a storage electrode (35) overlapping the first (601) and the second transistor (602) portions and the storage electrode portion (51), respectively, the data wire comprises first and second data lines, a first source electrode (21) connected to the

first data line and the source region (13) of the first transistor portion (601), a first drain electrode (22) connected to the drain region (14) the first transistor portion (601) and the second gate electrode (35), and a second source electrode (36) connected to the second data line and the source region (31) of the second transistor portion (602), and the pixel electrode (40) is connected to the drain region (32) of the second transistor (602) for maintaining the voltage that is applied to the gate electrode of the current controlling TFT 602 and to create a high displaying quality (FIG. 6, 7A; [0078-0091]). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device taught by Shin to include the first and second transistors, the capacitor and their connections to maintain the controlling voltage and to create a high display quality as taught by Yamazaki (FIG. 6, 7A; [0078-0091]).

Claim 4 and 11: Shin teaches a buffer layer (235) disposed between the organic EL layer and the common electrode.

Claims 6 & 13: Yamazaki teaches an auxiliary electrode (41b) contacting the common electrode (44) (FIG. 6).

5. Claims 5 & 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin (KR 10-2002-0078535), Yamazaki et al. (US PGPub 2001/0026125 of record) and Kimura (US PGPub 2003/0170944), as applied to claims 1 & 2 above, and further in view of Yamazaki et al. (US Patent 6,013,930).

Regarding claims 5 & 12, as described above, Shin, Yamazaki ('995), and Kimura substantially read on the invention as claimed, and Yamazaki ('995) teaches the partitions being made of an acrylic resin film and black resin but not of black photoresist. Yamazaki ('930) teaches the use of a black photosensitive acrylic resin between pixel electrodes (Col. 25 lines 30-67) to produce a highly-reliable and highly reproducible device (col. 2 lines 23-30). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device taught by Shin, Yamazaki ('995), and Kimura to make the acrylic resin a black photosensitive acrylic resin to produce a highly-reliable and highly reproducible device as taught by Yamazaki ('930) (Col. 2 lines 23-30).

Response to Arguments

6. Applicant's arguments with respect to claims 1-6 and 10-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 02/20/09 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SARAH K. SALERNO whose telephone number is (571)270-1266. The examiner can normally be reached on M-R 8:00-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (571) 272-1705. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2814

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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